

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

OAKLAND UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014030356

ORDER DENYING REQUEST FOR
RECONSIDERATION

On April 24, 2014, the undersigned administrative law judge issued an order granting the parties request to set mediation, partially granting a request for a continuance and vacating and confirming hearing dates. After the order was completed, but before the order was served, the Oakland Unified School District (Oakland) filed an opposition to the Student's request for a continuance and Student filed a document titled "Response to District's Objection." Oakland's opposition was consistent with the order issued and, therefore, is not being considered a motion for reconsideration. Student's filing, however, is inconsistent with the order and is being considered a motion for reconsideration on behalf of Student.

APPLICABLE LAW

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

DISCUSSION AND ORDER

Student alleges no new facts, circumstances, or law in support of the request reconsideration and the motion is not accompanied by a sworn declaration. Accordingly, Student's request for reconsideration is denied.

IT IS SO ORDERED.

DATE: April 25, 2014

/s/

MARGARET BROUSSARD
Administrative Law Judge
Office of Administrative Hearings